



TOWN COUNCIL WORK SESSION

Monday, June 15, 2015 @ 7:00pm
Front Royal Administration Building

1. Front Royal Christian School WWII Memorial Garden Proposal

The Town Council received a letter stating the following:

The 6th and 7th grade literature class of Front Royal Christian School is writing to ask you to consider having a memorial garden. We would like to have this garden to honor all victims and heroes of World War II. Our class has recently studied and read about the Holocaust, the tragic events and participants. We were deeply moved by the circumstances both here and overseas. This led us to the desire to memorialize publicly. We would like to have a designated peaceful place of reflection for all lives lost. FRCS would be honored to care for a small piece of land in which to plant a flower garden for those who sacrificed so much.

Holocaust survivor Otto Frank said, "To build a future you have to know the past."
Thank you for taking your time to read this and we ask you to please consider our request.

Sincerely yours, 6th and 7th Grade Literature Class, FRCS

Council Discussion:

The class gave a run down of the design and the approximate cost of garden. Mrs. =====
Possible sites were –

Mr. Burke stated that they were looking for a 50-100 site to accommodate the area for benches, perhaps the Bowman Park area

And even speak to Warren County about the matter

Councilman Hrbek suggested the green space near Happy Creek Trail next to Criser Road.

2. Acceptance of Moseley Architects Cost Proposal Letter for Police Headquarters Design Services – *Chief of Police*

Summary: Moseley Architects submitted a cost proposal letter for the New Police Headquarters Design. The Police Department's staff submitted a list of components to be included in the design of the Police Headquarters. Anthony "Tony" Bell, Vice President of Moseley Architects has stated that he and Jim McClaren of MWL look forward to discussing our needs during the space programming phase of the project.

Staff Recommendations: Request Council's Approval for contract to design.

Council Discussion:

Councilman Egger asked about the Leed Certification not being included. Mr. Burke stated that no cash award was granted for Leed Certification, though they could see savings at times with certain installations into the building. Councilman Egger asked if the certification was one that did not have much payback; Mr. Burke noted that it was not one that they were ready to present to Council at this time. Councilman Tewalt noted that it was not one that had any payback in his opinion.

Councilman Hrbek asked about the net zero installations during construction and whether it would benefit the Town to make changes design the building in such a way. Mr. McClaren with Mosely noted that it would be take many, many years to make such changes and it would add a substantial cost to make such changes to the project, from windows, to insulation. Council discussed environmental issues and

how they affect the Town electric grid.

Councilman Egger reminded Council to have a welcoming entry if possible, as suggested in the recent Citizen Survey. Mr. Burke noted that 2017 could be the opening date of the Police Department.

3. Town Boundary Line Adjustment Request - Chris Ramsey of Ramsey, Inc – Planning/Zoning

Summary: Chris Ramsey, owner of Ramsey Inmainmc., has submitted an annexation request in the form of a letter to the Town and County. Specifically, he would like the Town and County to enter into a friendly boundary line adjustment agreement to incorporate property that he owns off of Guard Hill Road. The subject property consists of approximately 20 acres, and is located on the north side of Guard Hill Road at the address of 3853 Guard Hill Road. It is contiguous with the present day Town limits. Other than a survey of the property, no additional information was included with the request by Ramsey Inc.

PLANNING & ZONING STAFF REPORT DATED May 8, 2015

From: Jeremy Camp, Planning & Zoning Director

Re: Chris Ramsey Boundary Request

The purpose of this memo is to provide you with an impact analysis regarding that above-referenced request for annexation. The subject property is located on Guard Hill Road. The property is contiguous with the current Town Boundaries. The adjacent properties are zoned C-3 (Highway Corridor Business) within the Town. The adjacent properties in the County, and the property itself at this time, are Zoned Agricultural.

No development plans are submitted with a specific details of any proposed future development. Nonetheless, below are general considerations related to the possible annexation of the property and possible future impacts to the public.

- **Initial Zoning District.** 175-9.1 of the Town Code requires that any property coming into the Town by annexation be classified in the A-1 (Agricultural and Open Space) District.

- **General Development Impacts.** It would be appropriate to consider at the time of rezoning all development impacts that are directly related to the proposed development. This may include financial impacts to the following public services: Warren County Public Schools, Law Enforcement (Police), Emergency Services, Town Administration, Parks & Recreation, Utilities, and Street Maintenance. While the Town currently does not have any capacity issues, urban development of the location would impact the Town's water & sewer capacity model. For example, a 100 dwelling unit development may result in an impact of approximately 32,000 gallons per day.

- **Transportation Impacts.** If the property is rezoned in the future for future development purposes, a traffic impact would be required to review impacts to the road network. It would be appropriate to consider proffers to mitigate transportation impacts. Specifically, review if a traffic signal would be warranted, including review of right-of-way widths, signage, sidewalks, curb, parking and any turn lanes that may be necessary. Guard Hill Road, from Rt. 522 to Pine Hills Road, currently only has 920 AADT per 2014 VDOT traffic Counts. Expansion of local public transit could be a consideration if the property is developed for multifamily uses, such as, but not limited to, an age-restricted community or assisted care facility. The plat provided by Chris Ramsey shows a 30' right-of-way for Guard Hill Road. It would be appropriate to consider having additional right-of-way dedicated to meet VDOT and Town standards.

- **Environmental, Scenic & Historic Impacts.** Future development plans would require review of environmental impacts, including stormwater, and a phase 1 environmental analysis to determine if there are any known hazards or special environmental protection areas. Steep slopes would also have to be analyzed. We should request that the Warren County Heritage Society assess the

site to determine if there are any historic resources at the location. Future development plans should evaluate how the development would impact the scenic viewshed engineering Front Royal from the north on Rt. 340/522. The Town has received complaints from Town property owners on Guard Hill Road in the past regarding the poor drainage facilities adjacent to Guard Hill Road. Special consideration of erosion from the site should be considered during any future development process to limit off-site erosion and dirt onto Guard Hill Road.

- **Comprehensive Plan.** If the property is annexed, the Town's Comprehensive Plan should be amended to include the property within the future land use plan. Consideration of a sidewalk along Guard Hill Road would be a reasonable addition to the bike and pedestrian plans of the Comprehensive Plan. The site conditions lends itself to an institutional, public facility or residential use.

Council Discussion:

Mr. Camp noted that it is currently agricultural and VDOT had some concerns if the area was brought into the Town. Council discussed the small corner area that belongs to Quarles. They also discussed that the road is maintained by VDOT and is taken care of by the State.

Mr. Napier stated that the Town can do a plain boundary adjustment and petition the court. He noted that there is another procedure for taking property in where anything other than a boundary adjustment, then we must go through the Commission on Local Government.

Councilman Hrbek asked why the applicant wished to

Mr. Ramsey noted that he wished to do a residential development which makes sense, and developing the structures for the senior community, with approximately less than 100 units. He noted that they could look at a 8 unit complex, with perhaps upscale duplex units. Mr. Ramsey stated that it was a cost prohibitive factor to do so in Warren County and he wished to have it with higher density growth development. He noted that it was his philosophy was to do this in the Town to do a nice neighborhood with Town water and sewer.

Councilman Egger noted that she is 100% opposed to age restricted living. She added that the parcel would also only have one entrance to the site. She noted that neighborhoods needed connectivity.

Councilman Hrbek asked about a second exit at the site. Mr. Ramsey noted that it was not impossible, with the installation of a bridge similar to that used at Blue Ridge Shadows, though it did not feel it was a realistic goal.

4. 2015 Citizen Survey Results – *Town Manager*

Summary: The Town conducted an online Citizen Survey in the May to receive input about the services provided by the Town and to identify any areas that the Town should improve our performance. In general, the survey respondents were satisfied with the Town and its services. A separate document has been developed to present the results. Council is requested to review the survey results and provide any direction to address comments.

Staff Evaluation: The Town will continue to seek opportunities to improve our service delivery. The survey will be conducted annually to gauge any change in the perception of Town services in the future.

Council Discussion:

Mayor Darr noted that we needed more participation in the survey, as there were few responses. Mr.

Burke stated that the participation is about as consistent as other localities. Councilman Tewalt and Mayor Darr noted that when people do respond to surveys or it is generally to complain, so perhaps the small response should be taken as a positive.

5. Consideration of New Ethics Reform Law, HB2070 – *Town Attorney*

Summary: Delegate Todd Gilbert sponsored HB 2070, which the General Assembly passed, and the Governor signed this new ethics reform law. It was largely sponsored and passed in reaction to the legal troubles of former Governor and Mrs. McDonnell. In summary, the new ethics law removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving within any calendar year a single gift with a value exceeding \$100 or a combination of gifts with a value exceeding \$100 from certain persons; however, such prohibition does not apply to gifts from personal friends. The law also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The law provides an exception for gifts received at widely attended events, which are those events at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event. The law requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The law also requires persons subject to the Conflict of Interest Acts to request approval from the Virginia Conflict of Interest and Ethics Advisory Council (the Council) and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The law modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires that there be bipartisan balance of the General Assembly members appointed to the Council. The law requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The law provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. (Parenthetically, the law also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100 from persons and entities seeking loans or grants from the Commonwealth's Development Opportunity Fund (the Fund), restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. The bill has a delayed effective date of January 1, 2016, except the provisions of the bill related to the Council and its duties become effective July 1, 2015.

It should be noted that "gift" does not mean: 1.) Printed informational or promotional material; 2.) A gift that is not used and, no later than 60 days after receipt, is returned to the donor or delivered to a charitable organization and is not claimed as a charitable contribution for federal income tax purposes; 3.) A devise or inheritance; 4) A gift of a value of \$50 or less; 5.) Any offer of a ticket, coupon, or other admission or pass unless the ticket, coupon, admission, or pass is used; 6.) Any food or beverages provided to an individual at an event at which the individual is performing official duties related to his public service; 7.) Any food and beverages received at or registration or attendance fees waived for any event at which the individual is a featured speaker, presenter, or lecturer; 8.) An unsolicited award of appreciation or recognition in the form of a plaque, trophy, wall memento, or similar item that is given in recognition of public,

civic, charitable, or professional service; 9.) Any gift from an individual's spouse, child, uncle, aunt, niece, nephew, or first cousin; a person to whom the donee is engaged to be married; the donee's or his spouse's parent, grandparent, grandchild, brother, sister, step-parent, step-grandparent, stepgrandchild, step-brother, or step-sister; or the donee's brother's or sister's spouse; 10.) Travel provided to facilitate attendance by a legislator at a regular or special session of the General Assembly, a meeting of a legislative committee or commission, or a national conference where attendance is approved by the House or Senate Committee on Rules; or 11.) Travel related to an official meeting of the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity, or any charitable organization established pursuant to § 501(c)(3) of the Internal Revenue Code affiliated with such entity, to which such person has been appointed or elected or is a member by virtue of his office or employment.

Another conflicts of interest law change that went into effect gave the legal conflicts of opinion of a county, city, or town attorney to a local government legislator binding protective effect as long as the legislator disclosed facts accurately and in good faith.
Council Discussion: Council does not have to do anything about the new law, but if it would like more information about it, staff can get this information to Council.
Staff Evaluation: The new law should not substantially affect most local government legislators, other than lend a bit more clarity to what it seems most local government legislators were already observing.

Council Discussion:

Council did not have any questions.

6. Planning Commission Terms Expire August 31

Summary: David E. Gushee and Robert H. Ballentine terms on the Front Royal Planning Commission will expire August 31, 2015. Mr. Ballentine was appointed to a 4-year term in September 6, 2011, and Mr. Gushee was appointed to fill an un-expired term April 27, 2015. They both would like to be considered for re-appointment.

Council Discussion:

Council chose to advertise for the Planning Commission positions to obtain more applications.

7. Liaison Committee Meeting Items for July 16 Meeting

Summary: Council is requested to add items to the Liaison Committee Meeting Agenda scheduled for July 16, 2015. Items will be voted on at the regularly scheduled meeting on June 22, 2015. The agenda from the March Liaison Committee meeting is attached as well as the EDA/County/Town Joint Meeting in June. At their June 1, 2015 Work Session, Council suggested that the proposed change in Public Parking Signs be added to the next Liaison Committee Meeting Agenda.

Council Discussion:

Last Meeting of March 2015:

1. Leach Run Parkway Project
2. WasteWater Treatment Plant/Septage Receiving Facility
3. Building Inspections Software
4. Residential Parking & Mail Boxes on 13th Street
5. Update from the Development Review Committee
6. McKay Property Update

7. Catlett Mountain Landfill Recreational Use
8. Updates on Warren County's In-Town Projects
9. Avtex Property – Main Street Extension

Hrbek – do not need to have EDA rep there in his opinion at every Liaison Meeting

Darr and Hrbek – okay having more Town/County/EDA meeting every six months

Add – Ramsey property discussion

Avtex Access Road – add to the Liaison Agenda

Add – Have twice a year EDA/County/Town meetings

Councilman Hrbek asked about that the total construction cost for the road

\$1.5 million according to Mr. Burke, with \$800,000 coming from VDOT matching funds perhaps

Hrbek noted that the Town should build the road and make the installation, as we have been making the roads because it was the right thing to do for the public

Councilman Tewalt disagreed with Mr. Hrbek entirely.

8. EDA Representation at the Town and County Liaison Committee Meetings

Councilman Tewalt noted that he agreed with Mr. Hrbek that they did not need to be present at each Liaison Meeting of Council.

9. Council Discussion/Goals

Councilman Hrbek asked about trash collectors early in the morning during school

Councilman Hrbek asked about ws minutes to Council

Councilman Hrbek asked about tying the LFK trail area/access road into trail system

Councilman Hrbek noted that perhaps the Happy Creek trail could be cleaned out more frequently than once annually. Mr. Burke expressed concern with an in season of copperhead snakes.

Councilman Egger stated that in the survey they mentioned various

Implement a sidewalk plan, for perhaps the next 20 years.

Councilman Egger noted that the cameras at the gazebo were installed and she would like them taken down. Mr. Burke stated that they in installed to allow the Police Department to have activity monitored. She stated that she was not in favor of them.

Councilman Egger asked about the lights being installed on Main Street. Mr. Burke noted that the RFP went out.

Councilman Egger asked about the South Street improvements. Mr. Burke stated that traffic counts had been completed.

Councilman Connolly asked about the potential of referring the sign ordinance in it's entirety to the Planning Commission in order to simplify the ordinance for the business owners. Mayor Darr noted that it had been reviewed extensively since he had been on Council.

10. Closed Meeting – Personnel Matter

Motion to Go Into Closed Meeting

Councilman Connolly moved, seconded by Councilman Funk that Council convene and go into Closed Meeting for the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of a public body, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by ===== that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Action as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Connolly, Darr, Egger, Funk, Hrbek, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Connolly, Councilman Egger, Councilman Funk, Councilman Hrbek, Councilman Tewalt, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, Planning & Zoning Director Camp, IT Director Jones, members of the media and members of the public.